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Response Under 37 CFR 1.116  
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RemarksClaim Rejections under 35 USC 112

Claims 32-38 are rejected as being indefinite for failing to particularly point out the subject matter which Applicant regards as the invention.

In telephone discussions with Applicant's attorney, the Examiner asked whether the claim language is broader than the essence of the invention. The current claim language is NOT broader than the essence of the invention.

The apparatus claimed in Claim 27 as well as the catheter described in Claim 32, are supported by the description of the invention as set forth in Figs. 1, 2, 3 and 4.

Claim Rejections under 35 USC 101

Claims 32-38 are rejected because the claimed invention is directed to non-statutory subject matter, that is, the claims recite both an apparatus and a method of making the apparatus.

Apparatus Claim 32, previously a dependent claim, is amended in this Further Amendment After Final Action so that it does not include reference to the method claims. The method steps are fully set forth explicitly. This Amendment to claim 32 was discussed with the Examiner on 11/13/2006, and the Examiner concurred that this places the remaining unallowed claims in condition for allowance.

Rejections Under 35 USC 102 and/or 103

Applicant reasserts the following regarding prior art rejections:

The electrolyte treating of the mapping electrodes generates electrodes with a reduced number of electrical interference centers, in comparison with un-treated electrodes. The effect of the electrolyte treating is shown, in particular, in Figs. 8, 9, 14 and 15 of the application. These

Muntermann (H)02MUN0018USP 10/049,934  
Further Response to Office Action of 05/11/2006 submitted by Fax with certification on 11/13/2006 following discussion with the Examiner on 11/13/2006

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Figures show differences in the micro-structure of the surface of the electrodes. This modified surface structure reduces disturbing interference fields.

Accordingly, an electrode treated with a method according to the invention is new and inventive in comparison to the state of the art, and in relation to the previously cited prior art.

Allowable Claims

Claims 10-25 and 27 are allowed. Claims 28-31 are cancelled. Given the above comments, Applicant respectfully believes that claims 32-38, as amended in this Further Amendment After Final Action, should now also be allowable.

Dependent claims 34 to 38 relate to further features of the catheter, as previously set forth in now cancelled claims 1 to 9.

Accordingly, the subject matter of the product claim 32 and dependent claims are new and inventive. Therefore, the claims should overcome the "103" rejections.

Applicant respectfully believes that the claims, as amended in this Further Amendment After Final Action, are now allowable.

Wherefore, further consideration and allowance of the claims, as amended, is respectfully requested.

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A third month extension fee is respectfully requested, and PTO 2038 is included herewith authorizing charging a credit card for the prescribed \$225 third month extension fee. The first and second month extension was paid in the previous submission of 10/5/2006.

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Respectfully submitted,



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CERTIFICATE OF SUBMISSION BY FACSIMILE TRANSMISSION

I hereby certify under 37 CFR §1.8(a) that this correspondence is being submitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by facsimile transmission on November 13, 2006, fax number (571) 273 8300.



M. Robert Kestenbaum

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